

NATURAL AREAS ADVISORY COUNCIL
32 Years of Service to Improving Delaware's Quality Of Life
"Preserving Delaware's Natural Areas Today For All Delawareans Tomorrow"

NATURAL AREAS ADVISORY COUNCIL MEETING

September 21, 2010
Environmental Laboratory
Richards and Robbins Building
Dover, DE 19901
9:00 a.m.

ATTENDEES:

John Williams	Member
Dean Holden	Member
Jennifer Adkins	Member
Debbie Heaton	Member
Dave Athey	Member
Carl Solberg	Member

STAFF:

Ron Vickers	Division of Parks and Recreation
Elizabeth Emerson	Division of Parks and Recreation

PUBLIC:

James Metzger	Citizen
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I. Call to Order/Welcome/Introductions/Announcements

Chairman Williams called the meeting to order at 9:15 a.m.

II. Minutes of the March 2, 2010 and June 1, 2010 Meetings

Mr Athey moved to approve the March 2, 2010 and June 1, 2010 meeting minutes. Mr Holden seconded the motion. The meeting minutes were unanimously approved.

III. Old Business

Regulatory update

Mr. Vickers informed the Council that the regulations are ready for public hearing. The next step would be to decide on a date for the hearing, contacting a hearing officer, and scheduling a court reporter to provide a transcript of the hearing. Mr. Vickers asked that Council attend if available to show Council support. Mr. Vickers provided the Council with an overview of the hearing process, including what will be available for public review and comment. Mr. Williams asked if an introduction on the purpose of the hearing will be provided. Mr. Vickers indicated that there would be such an introduction

provided by Ms. Butler. Mr. Vickers and Ms. Butler will provide the Council with a few suggested dates for the hearing.

IV. Natural Areas Registry

- Christina River Natural Area
- Appoquinimink River Natural Area
- Frenchtown Woods Natural Area

Mr. Vickers suggested waiting to review the Registry until the December meeting when Ms. Butler could share specifics about the projects.

V. Nature Preserve Dedications

Smith Farm - Appoquinimink River Natural Area - the Smith Farm is located on the south side of the Appoquinimink River just south of Odessa. The Appoquinimink School District plans to place a new campus with multiple school buildings, ball fields and parking areas at this site. The site plan does not directly impact the Natural Area; however, there are other issues related to endangered species and associated habitats. Mr. Vickers informed the Council that school districts are exempt from environmental protections (Section 10 of the UDC) found in the New Castle County development code.

VI. Nature Preserve Management Issues

Mr. Vickers did not have a complete update on the Flint Woods and Fork Branch Management Plans. It was his understanding that the enforcement portion of the Management Plans was still being completed. Chairman Williams asked if there was an update on Cape Henlopen. Mr. Vickers informed him that the dedication has been put on hold while an internal discussion takes place related to trail issues between the Gordon's Pond and Herring Point area.

VII. New Business

Nomination/Delisting Form

Chairman Williams asked for questions or comments on the Nomination/Delisting form sent to Council electronically. Mr. Athey suggested adding an email address to the form, that a section for the date is needed next to the Landowner Concurrences, and that the line weight needs to be consistent. Chairman Williams suggested adding a revised date on the document. Ms. Heaton pointed out that an area for the "zip code" on page 1 under Property was needed. Ms. Heaton suggested changing the layout so the segments stand out more. She asked if the form is going to be set up to be able to fill out online on the computer without the format changing. She suggested using an Acrobat form. Ms. Heaton also suggested taking the name on the front page and making it bold, centered and removing the underline.

After a lengthy discussion regarding the Landowner Concurrence section, the Council decided to remove the landowner signature. The Council suggested replacing it with a check box for the person/entity attempting to nominate or delist indicating that all attempts to contact the landowner had been made. Ms. Heaton suggested including a check box at the top of the form for Nomination or Delisting. Ms. Adkins suggested adding an area for comments with the signature in cases of extenuating circumstances. Chairman Williams suggested adding an opportunity to include more than one tax parcel number, and making it clear that the form could be used for private or public owned property.

Chairman Williams suggested changing it to two separate documents for Nominations and Delisting. The Council recommended including a section for “name” on the Technical form in case the sheets become separated.

Marina at Mispillion Harbor

Ms. Adkins asked if staff had heard anything about the proposed marina south of the Mispillion Harbor Reserve Nature Preserve. It had been decided, at the last meeting, that a letter would be composed from the Council to Secretary O’Mara voicing Council’s concerns. Mr. Vickers did not have an update for the Council. The Council would like an update on the project.

There was a brief discussion about the type of and how projects would be brought to the Council. It was decided that all relevant projects affecting dedicated Nature Preserves and major involvement with Natural Areas would be reported to the Council.

VIII. Public Comment and Synopsis Reports From Other Councils, Stakeholders, and Partners

Chairman Williams attended the State Parks Council meeting held on August 4. A discussion took place at the meeting regarding State Parks Council taking over the responsibility of approving Delaware Land and Water Trust Fund grants. Mr. Vickers provided background information to the Council on Delaware Land and Water Trust Fund grants. The State Parks Council also discussed the Fort Delaware Ghost Tours and issues that were brought up in the Bi-State Advisory Council meeting regarding relocation of trails in the White Clay Creek State Park. Chairman Williams encouraged the Council to attend the next State Parks Council meeting which will be held on November 4, 2010 if available.

Mr. Vickers attended the Open Space Council meeting on September 15. Funding for acquisitions has been reduced by 72%. The money for acquisitions will be available on December 15th instead of June. The Council is looking to maximize its purchasing leverage with grants from Fish & Wildlife or Forestry when appropriate.

IX. 2010 Meeting Dates

The next meeting will be held on **December 7, 2010** at 9:00 a.m. in the Environmental Lab Conference Room in the Richardson and Robbins Building, Dover, DE.

2011 Meeting Dates

The proposed meeting dates for 2011 are: March 1, June 7, September 20, and December 6, 2011 in the Environmental Lab Conference Room in the Richardson and Robbins Building, Dover, DE.

X. Adjournment

The meeting adjourned at 11:10 a.m.